

**SUPREME COURT MINUTES
MONDAY, NOVEMBER 21, 2005
SAN FRANCISCO, CALIFORNIA**

S127505

B161356 Second Appellate District,
Division Eight

PEOPLE v. PARTIDA

Opinion filed: Judgment affirmed in full

Opinion by Chin, J.

--- joined by George, C.J., Werdegar &
Moreno, JJ.

Concurring and Dissenting Opinion by Baxter, J.

--- joined by Kennard, J., and
Ashmann-Gerst, J.*

*Associate Justice, Court of Appeal, Second
Appellate District, Division Two, assigned by
the Chief Justice, pursuant to article VI,
section 6, of the California Constitution.

S137212

A104604 First Appellate District,
A104632 Division Five
A106145

RABOBANK NEDERLAND v. NATIONAL
WESTMINSTE

Order filed

The order filed on November 15, 2005, denying
the petition for review is amended as to the
additional Court of Appeal number reflected
above.

S138931

IN THE MATTER OF THE APPLICATION OF
THE COMMITTEE OF BAR EXAMINERS OF
THE STATE BAR OF CALIFORNIA FOR
ADMISSION OF ATTORNEYS (July 2005 Exam)
General Bar Admission Order filed

The written motion of the Committee of
Bar Examiners that the following named
applicants, who have fulfilled the
requirements for admission to practice
law in the State of California, be admitted
as attorneys at law in all courts of the
State of California upon their taking the
prescribed oath before a competent

officer on or after *November 21, 2005*, and within the time limits specified in Rule IX of the Rules Regulating Admissions to Practice Law in California, is hereby granted:
(*See List of Names Attached to Original Order*)

S137098

ALGER ON DISCIPLINE
Recommended discipline imposed

It is ordered that **ANDREW KENNETH ALGER, State Bar No. 142838**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including nine months actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed on June 29, 2005, as modified by its order filed July 26, 2005. Credit towards the period of actual suspension must be given for the period of involuntary inactive enrollment which commenced on July 28, 2003, and ended on May 7, 2004. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S137099

SULLIVAN ON DISCIPLINE
Recommended discipline imposed

It is ordered that **TIMOTHY GRADY SULLIVAN, JR., State Bar No. 127833**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 75 days and until he makes restitution to Adrian LaPointe (or the Client Security Fund,

if appropriate) in the amount of \$12,000.00 plus 10% interest per annum from February 9, 2004, and furnishes satisfactory proof thereof to the State Bar's Office of Probation in Los Angeles, as recommended by the Hearing Department of the State Bar Court in its decision filed on May 26, 2005; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of respondent's actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S137100**WOODS ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **ROBERT BRIAN WOODS, State Bar No. 178125**, be disbarred from the practice of law and that HIS name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
DECEMBER 6 and 7, 2005**

SECOND AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on December 6 and 7, 2005.

TUESDAY, DECEMBER 6, 2005 - 2:00 P.M.

- S112621 Evans v. City of Berkeley
*To be called and continued to the January 10, 2006
oral argument calendar.*
- S123203 Rusheen v. Cohen
(Flier, J., assigned justice pro tempore)
- S031423 People v. Sturm (Gregory) [Automatic Appeal]
(Gomes, J., assigned justice pro tempore)
- S063274 In re Thomas (Ralph) on Habeas Corpus
(Elia, J., assigned justice pro tempore)

WEDNESDAY, DECEMBER 7, 2005 - 9:00 A.M.

- S136294 Costa v. Superior Court (Lockyer, Real Party in Interest)
(Aldrich, J., assigned justice pro tempore)
- S124636 People v. Hofsheier (Vincent)
(Fybel, J., assigned justice pro tempore)
- S036864 People v. Guerra (Jose) [Automatic Appeal]
(Gilbert, J., assigned justice pro tempore)

GEORGE

Chief Justice

Note: In light of the current vacancy on the California Supreme Court, a different justice of the Court of Appeal has been assigned to participate in each case scheduled for argument, pursuant to the court's established alphabetical rotational procedure.

If exhibits are to be transmitted to this court, counsel must comply with rule 18(c) of the California Rules of Court.